GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services - Revenue (Lands) Department - Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District - Placed under suspension - Convicted - Dismissed from service -filed O.A.No.4890/2009 in A.P.A.T - APAT dismissed the O.A in final orders dated:04-12-2015 - Hon'ble High Court orders Dt.30.04.2022 in W.P.No.24743/2016 setting aside the orders passed by the APAT in O.A.No.4890 of 2009 and the orders issued in the G.O.Ms.No.974, Revenue (Vigilance.IV) Department, Dt.11.07.2007 - Reinstated - Treating the suspension period from 01.11.2002 to 18.05.2005 and dismissal period from 11.07.2007 to 01.01.2023 as " ON DUTY" with all the consequential benefits as per the FR-54 (2) - Orders - Issued.

REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.260 Dated:15.03.2023
Read the following:-

1. From the DG, ACB, A.P., Hyderabad, Rc.No.256/RCT-TCT/2002, Dt.21.01.2003.
2. Vig.II/10293/02, Dt.21.10.2002 of Director of Survey Settlements, & LRs, Hyderabad.
3. Govt., memo No.68730/Vig.II (3)/2002-2, Revenue (Vig.III) Department, Dt.26.03.2003.
4. From the Secretary, Tribunal for Disciplinary Proceedings, D.No.S/14/06, Dt.01.05.2006.
5. Govt., Memo No.68730/Vig.IV(2)/2002-11, Revenue (Vig.IV) Department, Dt.01.11.2006.
6. G.O.Ms.No.974, Revenue (Vigilance.IV) Department, Dt.11.07.2007.
7. From the APAT final orders dt.29.05.2012 in O.A.No.4890/2009.
8. Orders Dt.30.04.2022 of the Hon'ble High Court in W.P.No.24743/2016.
9. G.O.Ms.No.3, Revenue (Vig.I) Dept., Dt.02.01.2023.
10. Contempt Case in C.C.No.6593/2022 in W.P.No.24743/2016 filed by Sri J.Venkata Muni, Mandal Surveyor.

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O R D E R:-

It was brought to the notice of the Government by the appropriate authority vide letter 1st read above, that Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District was trapped by the ACB authorities on 05.10.2002 when he demanded and accepted bribe amount of Rs.400/- from the complainant Sri T.Muniswamy for doing official favour by way of sending up survey report to the Mandal Revenue Officer, Narayanavanam Mandal regarding the extent and boundaries of the agricultural land of Ac.2.15 in S.No.111 of Aranyavanam, Govindappadu Kandriga Narayanavanam which is under the enjoyment of the complainant and his fore father. The Director of Settlements, SLRs, Hyderabad has placed the above Accused Officer (AO) under suspension w.e.f 01.11.2002 vide proceedings 2nd read above.

2. Subsequently, the Government, vide memo, 3rd read above, have placed the Accused officer on his defence before the Tribunal for Disciplinary Proceedings to conduct an enquiry into the allegation levelled against the Accused officer.

(PTO)

3. In the letter, 4th read above, the Tribunal for Disciplinary Proceedings has submitted its report to the Government holding that prosecution has established the charge made out against the charged officer in all probabilities. Therefore, the charged officer is found guilty of misconduct within the meaning of Rule 2 (b) of the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989. In the memo 5th read above, a copy of the enquiry officer's report has been communicated to the charged officer with a direction to submit his explanation within 15 days to Government and the same was served on the individual on 18.01.2007. But, the charged officer has not offered any explanation to the memo.

4. After following due procedure as per scheme of vigilance, Govt. issued orders in G.O.6th read above, dismissing Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District from Government service with immediate effect and issued notification .

5. Aggrieved by the orders of the dismissal from Government Service, Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District have filed OA No. 4890 of 2009 before the Hon'ble APAT, Hyderabad. The Hon'ble APAT in its final orders dated:29.05.2012 has dismissed the O.A.

6. Against the orders passed by the Hon'ble APAT, Hyderabad Dt.29.05.2012, Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District have approached the Hon'ble High Court and filed W.P.No.24743/2016.

7. The Hon'ble High Court have delivered its judgement in W.P.No.24743/2016 filed by Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District on 30.04.2022 as follows:

> "setting aside the order dated 04.12.2015 passed by the APAT in O.A.No.4890 of 2009 and the order of punishment passed by respondent No.1 (State Government), vide G.O.Ms.No.974, Rev (Vig-IV) Dept, dt.11.07.2007, and consequently, the respondents are directed to reinstate the petitioner into service with all consequential benefits within a period of two months from the date of receipt of a copy of this order. There shall be no order as to costs of the Writ Petition"

8. Subsequently, the individual has filed Contempt Case in C.C.No.6593/2022 in W.P.No.24743/2016.

9. The Government having examined the matter in detail, complied with the orders of the Hon'ble High Court and issued orders in the G.O 9th read above reinstating the individual into service and directed the Commissioner, Survey Settlements and land Records to take further necessary action accordingly.

10. Government after careful examination of the matter and keeping in view of the judgment of the Hon'ble High Court of A.P, dated 30.04.2022 in W.P.No.24743/2016, have decided to treat the suspension period of the individual, from 01.11.2002 to 18.05.2005 and dismissal period, from 11.07.2007 to 01.01.2023 as " ON DUTY" with all the consequential benefits as per the FR-54 (2) to avoid legal complications in the matter.

(Contd to Pg.3)

11. Accordingly, the Government, hereby treat the period of suspension from 01.11.2002 to 18.05.2005 and dismissal period from 11.07.2007 to 01.01.2023 in respect of Sri J.Venkata Muni, Mandal Surveyor, O/o the Mandal Revenue Officer, Puttur (M), Chittoor District as " ON DUTY" per Rule 54 (2) with all the consequential benefits.

12. The Commissioner, Survey Settlements & land Records, A.P, Vijayawada shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

To
Sri J.Venkata Muni, Mandal Surveyor, (through Commissioner, SS&LR, A.P, Vijayawada.)
The Commissioner, SS&LRs, A.P, Vijayawada
Copy to:
The OSD to Minister (Rev, R&S).
The PS to Spl.CS to Government.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER